

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JAMES A. KEELING,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-13-498-M
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER


On August 15, 2014, United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation in this action which plaintiff seeks judicial review of the final decision of defendant Acting Commissioner of Social Security Administration (“Acting Commissioner”), denying plaintiff’s application for disability insurance and supplemental security income benefits under Title XVI of the Social Security Act, 42 U.S.C. §§ 1381-1383f. The Magistrate Judge recommended the Acting Commissioner’s decision in this matter be affirmed. The parties were advised of their right to object to the Report and Recommendation by August 29, 2014. Plaintiff has timely filed his objections.

Plaintiff objects to the Report and Recommendation and contends that the administrative law judge committed reversible error by failing to perform a proper step-three analysis and by not securing the testimony of a vocational expert. Further, plaintiff asserts that the Magistrate Judge provided a significant amount of post-hoc justification and analysis that the administrative law judge did not provide. Having carefully reviewed this matter de novo, the Court finds that the Acting Commissioner’s decision in this case was not in error, and, further, the Magistrate

Judge did not engage in any improper post-hoc reasoning in making his findings in the Report and Recommendation. Accordingly, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 14] issued by the Magistrate Judge on August 15, 2014, and
- (2) AFFIRMS the decision of the Acting Commissioner.

IT IS SO ORDERED this 5th day of September, 2014.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE